IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

Con.Case(C).No. 540 of 2007(S)

AGAINST THE JUDGEMENT/ORDER IN WPC.24249/2003
.....

PETITIONER/PETITIONER:

A. DEVAYANI @ AMMINI, D/O.VALLI.A,
AGED 43 YEARS, PART TIME CASUAL SWEEPER,
KRISHI BHAVAN, ONGALLUR, P.O.KALLADIPATTA,
PALAKKAD DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS/RESPONDENT:

SRI.T. JNANADAS, AGED ABOUT 50 YEARS,
FATHER'S NAME NOT KNOWN TO THE PETITIONER,
PRINCIPAL AGRICULTURAL OFFICER,
PALAKKAD.

BY GOVERNMENT PLEADER SRI. P.NANDAKUMAR

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 16/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

Contempt Case (Civil) No.540 of 2007-S

Dated this the 16th day of July, 2007.

J U D G M E N T

The petitioner has approached this Court, alleging that the direction issued by this Court in Annexure-I judgment has not so far been obeyed by the respondent.

2. The respondent has filed an affidavit in which it is submitted that the sweeping area of the petitioner's office was below 100 square metres upto 22-12-2005. With effect from the said date the office is housed in a new building having a sweeping area of 122.5 square metres. So, the petitioner is entitled to get the scale of pay applicable to Part-Time-Sweepers. For that, the post has to be sanctioned by the competent authority. It is submitted that salary at the rate of Rs.600/- was already paid for the period upto 22-12-2005. Revised salary will be paid for the remaining period after getting sanction from the competent authority for creation of one post. Annexure-I judgment is dated 28-8-2003. Admittedly, the salary till the date of judgment and thereafter upto 22-12-2005 has already been paid. Therefore, the Contempt Case need not be proceeded. But, if the steps to sanction the post and to pay the salary with the scale applicable on 22-12-2005 is not completed within a reasonable time, the petitioner will be free to work out her remedy, by taking recourse

to appropriate proceedings.

The Contempt Case (Civil) is closed.

K.BALAKRISHNAN NAIR,
JUDGE.

MS